Case 2:06-cv-00092-J-BB Document 39 Filed 09/25/09 Page 1 of 1 PageID 143

IN THE UNITED STATES DISTRICT COUR NORTHERN DISTRICT OF TEXAS FOR THE NORTHERN DISTRICT OF TEXAS FILED **AMARILLO DIVISION** SEP 2 5 2009 FRANK HERNANDEZ, JR. § CLERK, U.S. DISTRICT CO a/k/a/ FRANK GARCIA HERNANDEZ. JR. 8888888888 Petitioner, v. 2:06-CV-92 RICK THALER, Director, Texas Department of Criminal Justice, Correctional Institutions Division, Respondent.

## ORDER ADOPTING REPORT AND RECOMMENDATION and DENYING PETITION FOR A WRIT OF HABEAS CORPUS

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On September 10, 2009, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be denied. As of this date, no objections to the Magistrate Judge's Report and Recommendation have been filed of record.

Having made an independent examination of the record in this case, the undersigned United States District Judge is of the opinion the Magistrate Judge's Report and Recommendation should be, and hereby is, ADOPTED. Accordingly, the petition for a writ of habeas corpus is hereby DENIED.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE